

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-2233

Eugene H. Mathison; Judy R. Mathison,	*	
	*	
Appellants,	*	
	*	Appeal from the United States
v.	*	District Court for the
	*	District of Minnesota.
Corrections Corporation of America;	*	[UNPUBLISHED]
Hoyt Brill; Leann Stone; Charles	*	
Zacharias; Five John/Jane Does; United	*	
States of America,	*	
	*	
Appellees.	*	

Submitted: December 26, 2003

Filed: January 5, 2004

Before WOLLMAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Federal inmate Eugene H. Mathison and his wife Judy appeal the district court's¹ adverse grant of summary judgment in their lawsuit brought under 42 U.S.C.

¹The Honorable James M. Rosenbaum, Chief Judge, United States District Court for the District of Minnesota, adopting the report and recommendations of the Honorable Arthur J. Boylan, United States Magistrate Judge for the District of Minnesota.

§ 1983, Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971), the Federal Tort Claims Act, and state tort law. Their claims were based on allegations concerning Eugene Mathison's access to a law library while he was incarcerated at Prairie Correctional Facility in Appleton, Wisconsin--a Correctional Corporation of America (CCA) facility. Having carefully reviewed the record, see Beck v. Skon, 253 F.3d 330, 332-33 (8th Cir. 2001) (standard of review), we conclude that the claims against CCA and its employees, and against the United States,² were properly dismissed; that the court's summary judgment ruling was not premature as to the United States; and that the court did not abuse its discretion in declining to exercise jurisdiction over Judy Mathison's supplemental loss-of-consortium claim, see Labickas v. Ark. State Univ., 78 F.3d 333, 334-35 (8th Cir.) (per curiam), cert. denied, 519 U.S. 968 (1996). We also deny appellants' pending motion.

Accordingly, the judgment is affirmed. See 8th Cir. R. 47B.

²Appellants are not challenging the dismissal of Charles Zacharias, a federal marshal.